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Letter dated 26 October 2004 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to write to you and, through you, to draw the attention of the Security Council to the recent developments in the conflict resolution process in Abkhazia, Georgia.

In doing so, I should like to express my sincere gratitude to the Secretary-General, Kofi Annan, and his Special Representative, Heidi Tagliavini, for their tireless efforts to bring about a comprehensive political settlement of the protracted conflict in my country.

The latest events in Abkhazia barely leave us grounds for optimism, and I think that this situation is objectively reflected in the report of the Secretary-General. Indeed, the United Nations-led peace process in the region has reached its critical juncture.

Ardzinba's ethnocratic regime has always sought to thwart the peace process. His no-compromise policy is bringing our peaceful efforts to naught, and could ultimately damage the peace talks beyond repair. In this context, the holding of the illegitimate and self-styled presidential elections by the Abkhaz separatists on 3 October 2004 is yet another attempt to imbue legality to the demographic changes resulting from the conflict. It is being done in flagrant disregard of the position of the international community, as manifested in the numerous resolutions and presidential statements of the Security Council, affirming the legitimacy of the elections, while 300,000 members of the Georgian population are forcibly driven out of the region. By the same virtue, the elections fail to sustain even scant semblance of democracy, putting aside their violation of international law in an environment where violence and human rights violations constitute the routine of life.

Against this background, the Ministry of the Russian Federation, which praised the elections in a statement of 4 October 2004, as "calm and democratic", appeared to be the only dissenter in the international community. With tension in the region at its height, fuelled by the presence of the terrorist groups known as the Confederation of Mountain Peoples, best known for their notorious commander Shamil Basayev, the situation is anything but calm for clarification, Shamil Basayev served as a Deputy Defence Minister of the separatist regime in 1990s.

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Moreover, the presence of foreign terrorist groups of the Confederation highlights the acute problem of the illegal influx of arms and armed groups through the unilaterally open Abkhazia section of the Russian-Georgian border. Especially in the aftermath of the tragedy in Beslan, the border policy of the Russian Federation is at odds with the real needs and interests of combating terrorism and ensuring security. Otherwise one cannot explain the closure of the only legally operating checkpoint in Zemo Larsi, while two other illegal checkpoints within the secessionist regions of Abkhazia and Tskhinvali region/South Ossetia remain open. In the end, these measures affect not potential terrorists but ordinary, law-abiding people from Georgia, the Russian Federation and Armenia, whose interests are mainly harmed by the unpredictability of the border crossing regime. Numerous protests by Georgia on this matter remain unheeded.

The escalation of the situation in the region was preceded by the involvement and interference, unprecedented in breadth, of certain political circles in Russia in Abkhazia, Georgia; President Putin himself, in a display of Russia's support, publicly met one of the "candidates for President of Abkhazia". Russian political and pop artists have been mobilized to support the Kremlin favourite.

The "electoral campaign" unfolded in the milieu of the reopening of a railway link between Moscow and Sokhumi, after 12 years of being dysfunctional. The event, protested by Georgia as an infringement upon its sovereignty and a violation of international law, attested to the level of damage caused to the United Nations-led peace process by the broken commitments. President Putin's formula that the implementation of economic projects in the region must be synchronized with the return of refugees and internally displaced persons is either complete ignored or cynically countered with the contention that they have already returned in the Gali district. Those who attempt to capitalized on the almost daily violence and intimidation being endured by spontaneous returnees are deliberately confusing organized return in safety and dignity with its antithesis.

Mr. President, notwithstanding this complex development, the Government of Georgia is committed to resume negotiations for the settlement of the conflict in Abkhazia, Georgia, with any leader who will succeed Mr. Ardzinba. However, progress in this matter would require that the Abkhaz side master the requisite political will for the constructive engagement in the negotiations, in particular on the so-called Boden document on "Basic principles for the distribution of competences between Tbilisi and Sokhumi", as well as allow for the establishment of a branch of the Human Rights Office in Gali, address the problem of teaching of Georgian children in their native language and consent to the deployment of the civilian police component of the United Nations Observer Mission in Georgia (UNOMIG) in the Gali district, which, as pointed out in the Secretary-General's report, is implemented only on the Georgian side, where it receives "good cooperation".

The same sentiment should extend to the Russian side, which has to overcome its own bias in favour of the secessionists and take into account the interests of the peace process as a whole, in particular the interest of thousands of refugees and internally displaced persons, instead of vehemently protecting and advancing of the interests of the Abkhazs at any cost and at every international forum.

In this respect, the attitudes instilled through the Russian media are both dangerous and alarming, the overwhelming majority of which depict Abkhazia as a

region of the Russian Federation inhabited by Russian citizens and Russia as duty-bound to protect them by all means against the Georgian "aggressors", including the use of military force and mercenaries, as well as interference in the "election process" for installing local political leaders loyal to Moscow, etc. For many in Russia these actions are an appropriate modus operandi in carrying out the role of mediator in the conflict.

Mr. President, in finalizing, I should like to go back to the point with which I started this letter, the substantial progress in the United Nations-led peace process is contingent upon the willingness of all its participants to honour their commitments and engage in constructive negotiations with the genuine aim of resolving the conflict. In the absence of this, the resolutions of the Security Council are bound to become more exhortations of good intentions by a supreme organ of the United Nations, the implementation of which depends on the political whim of the Abkhaz side (why not, if the Abkhaz side is almost convinced that intransigence will always go unchallenged).

Mr. President, all would agree that the present status quo in the process of conflict resolution in Abkhazia, Georgia, is untenable and that resolute steps are therefore required to overcome the present stalemate. Otherwise, and I cannot but ring an alarm here, the more this "frozen" conflict remains unresolved, the more difficult it becomes to find a compromise for the establishment of long-lasting peace.

The Security Council has both authority and, I hope, the willingness to take the lead in reinvigorating the United Nations-led peace process. Therefore, we wholeheartedly invite the Security Council to foster its involvement in the conflict-resolution process in Abkhazia, Georgia. One of the steps that the Security Council could take at this stage, we think, would be a field visit to Georgia, particularly to Sokhumi, to learn firsthand the reality on the ground and try to resolve the stalemale in the conflict-resolution process.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative